

REMARKS

The Examiner's Action mailed May 10, 2004 has been received and its contents carefully considered.

In the Action, the Examiner objects to the reference sign "versUi," in Figure 1, which the Examiner asserts is not mentioned in the description. This "reference sign" marks the end of the arrow 6, which indicates communication from the service Si to the portable set Ui. The word "vers" in French means "to" or "toward." Apparently it was left untranslated from the original French application. A corrected drawing is attached in which the legend "To Ui," in English, is substituted for "versUi." No change to the specification is appropriate or required. Consideration and approval of the corrected drawing is respectfully requested.

A minor typographical error in line 7, page 11, was discovered by the undersigned applicants' representative in reviewing the specification. An amended version of the paragraph which contained this informality is provided on page 2 above. No new matter is introduced by the correction. Entry of the amended paragraph is respectfully requested.

Claims 1-20 are pending in this application. Claim 1 is the sole independent claim. The Applicants' acknowledge with appreciation the Examiner's early indication that claims 5, 6, 14 and 15 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

In this Amendment, claim 1 is amended for clarity, and to incorporate the patentable subject matter which the Examiner has indicated is recited in claim 5. Step a), for example, is reworded to emphasize that the context-sensitive service will basically operate according to "context data." The parameters for those context data, including the position and/or identity of a user with a portable set, are now defined later in the claims.

Step a) is also rewritten to avoid any possible ambiguity in the expression "user with a portable set". In rewriting the claim, a distinction is implicitly being made between the owner of the portable set and the user of the portable set. As described in the application, a portable set stores a number of data concerning its owner. However, the

portable set may be used by anybody. Consistent with this distinction, step b) uses the expression "portable set" rather than "user portable set".

Step c) is substantially unchanged, except for the use of "providing" at the beginning instead of "is envisaged" at the end. This change has been made throughout the claims to reflect American usage.

In step d), most of the changes made are editorial, and, we believe, self-explanatory. However, please note that step d) is supplemented with a definition of the perimeter. While the original claim 1 refers to a "chosen perimeter", this perimeter is in fact defined by the radio coverage of the "short range communication means", which was not clearly stated.

Step e) has been more extensively rewritten to make clear that what is disclosed is that an existing portable set, equipped with short range communication means, enters the perimeter in which it can communicate with others. In rewriting step e), we have emphasized that what is important is the relative position, within the perimeter, of the short range radio frequency communication means, rather than the actual positions of the items carrying them, i.e. the "at least one mobile station" and the "at least some of the portable sets" (in the new claim 1 wording). Toward this end, step e) has been rewritten, starting with the "in response to" language.

Taking into account that the Examiner found patentable subject matter in claim 5, we have inserted a new step f), denoting how attributes are obtained. For clarification, we have added a new step g), showing the roles played by such attributes as context data for the context-sensitive service.

It is respectfully submitted these amendments are supported by the disclosure. Regarding in particular the definition of the perimeter, as inserted in step d), it is clear from figure 1 of the application and its description that the perimeter P_i (dashed line) is defined by the radio coverage of three mobile stations SMI, SM2 and SMS, in this embodiment. Several alternative embodiments are described. For example, at page 10 lines 18-22, it is indicated that "some portable sets can act as mobile stations ...". Note also that the user portable set may include in itself most of the functionality of the process, as indicated in page 17 lines 20-24.

Claims 2-5 and 8-17 are amended for clarity and consistency with amended claim 1.

In the Action, claims 1-4, 7-13 and 16-21 are rejected under 35 U.S.C. §102(e) as being anticipated by Herrod et al. (U.S. Patent No. 6, 405, 049). It is respectfully submitted that the rejection is moot in view of the above-described amendments to claim 1.

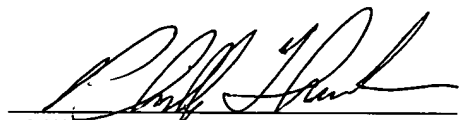
In summary, it is submitted that this application, as amended, is in condition for allowance. Such action and the passing of this case to issue are respectfully requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Respectfully submitted,

October 12, 2004

Date



Phillip G. Ayruch (Reg. No. 46,706)

RABIN & BERDO, P.C.

(Customer No. 23995)

Telephone: (202) 371-8976

Telefax : (202) 408-0924

PGA/

Attachment:

Replacement Drawing Sheet (Figures 1 & 2)